

Entered - 5-14-09 sb
CL 09L0352- GWENDOLYN BURNS

10- R -0358

CLAIM OF: BELINDA MORRIS
2140 Burroughs Avenue
Atlanta, Georgia 30315

For property damages alleged to have been sustained from an automobile accident on April 24, 2009 at Joseph E. Lowery Boulevard and Joseph E. Boone Boulevard.

THIS ADVERSED REPORT IS APPROVED

BY: 
JERRY L. DELOACH
DEPUTY CITY ATTORNEY

ADVERSE REPORT

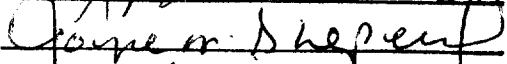
PUBLIC SAFETY &

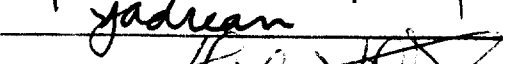
LEGAL ADMINISTRATION COMMITTEE


DATE: 2/23/10

CHAIR: 











MAR 01 2010

MAR 01 2010

ADVERSED BY
CITY CLERK

MAR 01 2010



OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON
MUNICIPAL CLERK

55 TRINITY AVENUE, S.W.
SECOND FLOOR, EAST
SUITE 2700
ATLANTA, GEORGIA 30335
(404) 330-6030
FAX (404) 658-6273

March 9, 2010

Ms. Belinda Morris
2140 Burroughs Avenue
Atlanta, Georgia 30315

10-R-0358

Dear Ms. Morris

I sincerely regret that you have been adversely affected by the circumstances raised in your claim for damages against the City of Atlanta. Your time and patience in this matter has been greatly appreciated.

However, I must notify you that the Atlanta City Council Adopted an Adverse Report on your claim at its regular meeting on March 1, 2010. In consultation with the City's Law Department, who conducted an investigation of the situation, the Council has determined that the City cannot accept responsibility for this matter and therefore cannot pay this claim.

If you desire any further information, please contact the **City Attorney's Office/Claims Division at (404) 330-6400.**

Sincerely,
Rhonda Dauphin Johnson

Rhonda Dauphin Johnson, CMC
Municipal Clerk

cc: Claims Division/Law Department

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 09L0352

Date: January 27, 2009

Claimant /Victim BELINDA MORRIS
BY: (Atty) (Ins. Co.) _____
Address: 2140 Burroughs Avenue, Atlanta, Georgia 30315
Subrogation: _____ Claim for Property damage \$ undetermined Bodily Injury \$ _____
Date of Notice: 5/6/09 Method: Written, Proper X Improper _____
Conforms to Notice: O.C.G.A. §36-33-5 _____ X Ante Litem (6 Mo.) _____ X
Date of Occurrence 4/24/09 Place: 900 Joseph E. Boone, NW
Department POLICE Bureau: _____ Office: _____
Employee involved _____ Disciplinary Action: _____

NATURE OF CLAIM: Claimant alleges that she hit a concrete block when she attempted to avoid being struck by the driver of a police vehicle that was chasing a suspect. However, an investigation has determined that no police vehicles accessed the parking lot where the claimant's vehicle was parked nor made contact with the claimant's vehicle.

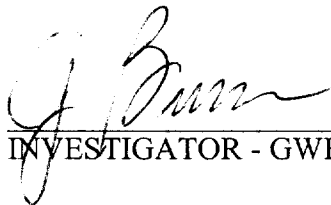
INVESTIGATION:

Statements: City employee X Claimant _____ Others _____ Oral X
Pictures _____ Diagrams _____ Reports: Police X Dept Report _____ Other _____
Traffic citations issued: City Driver _____ Claimant Driver _____
Citation disposition: City Driver _____ Claimant Driver _____

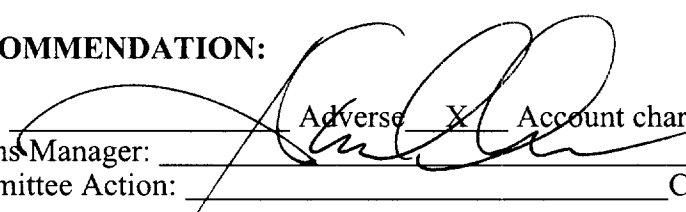
BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial _____
Improper Notice _____ More than Six Months _____ Other X Damages reasonable _____
City not involved _____ Offer rejected _____ Compromise settlement _____
Repair/replacement by Ins. Co. _____ Repair/replacement by City Forces _____
Claimant Negligent X City Negligent _____ Joint _____ Claim Abandoned _____

Respectfully submitted,


INVESTIGATOR - GWENDOLYN BURNS

RECOMMENDATION:

Pay \$ _____ Adverse X Account charged: General Fund _____ Water & Sewer _____ Aviation _____
Claims Manager:  Concur/date 02/10/10
Committee Action: _____ Council Action _____

COUNCIL OF THE CITY OF ATLANTA
MUNICIPAL CLERK
City Hall
55 Trinity Avenue, SW
Atlanta, Georgia 30303

CITY OF ATLANTA
LAW DEPARTMENT

MAY 6 REC'D

RE: CLAIM FOR DAMAGES

Today's Date: 4/6/09 BURNS

ENTERED - 5-14-09 - SB
09L0352 - G. BURNS

05/07/09

Dear Municipal Clerk:

This is to notify the City of Atlanta that I have suffered damages in the amount of \$ 2,097.59 property and/or \$ _____ bodily injury for which I contend the City is liable.

1. Date of incident: 4/24/09 2. Time of incident: _____ 3. Police called: _____

4. Location of incident (including street address): Josephine Laverie & Josephine Boone Blvd

5. Name of your insurance company: UAIC Policy No. 726705

6. State what and how incident occurred: On 4/24/09 I was headed north on Josephine Laverie Blvd when I looked in my rearview mirror and seen police lights I was coming to a light I made a right to get out of the

7. ALL ESTIMATES AND DAMAGES ARE SUBJECT TO INSPECTION. THE MAKING OF FALSE CLAIMS WILL RESULT IN YOUR CLAIM BEING DENIED AND MAY RESULT IN CRIMINAL PROSECUTION!

8. The registered owner must make the claim for vehicle damages, complete the following and attach two (2) estimates of repair and proof of ownership of your vehicle.

Your vehicle: (Make) (Year) (Tag Number) (Driver's Name)
Cadillac 1998 BFJACA Belinda Morris

City vehicle: (Make) (City Driver's Name) (Department/Bureau)
Atlanta Police (Blue Cars)

9. Witness: _____

10. The acknowledgement of this claim in no way waives the Sovereign immunity of the City of Atlanta, as granted by State law, nor is it an admission of liability on behalf of the City of Atlanta and/or its employee(s).

11. Claims must be received within 6 months from the date of the event.

I HEREBY SWEAR OR AFFIRM THAT THE ABOVE INFORMATION IS TRUE AND CORRECT.

Signature of Claimant

Belinda Morris
(Print Claimant's Name)

2140 Burnside Ave
(Address)

Atlanta GA 30315
(City, State and Zip Code)

home - 404/838/3239 or 44
(Work Number) (Home Number)

770-873-2103-WORK

10- R -0358

| | | 03-01-10 |
|---|--|--|
| ITEMS ADOPTED ON CONSENT | ITEMS ADOPTED ON CONSENT | ITEMS ADVERSED ON CONSENT |
| 1. 10-O-0275 2. 10-O-0276 3. 10-O-0277 4. 10-O-0278 5. 10-O-0279 6. 10-O-0289 7. 10-O-0290 8. 10-O-0291 9. 10-O-0292 10. 10-O-0293 11. 10-O-0294 12. 10-O-0296 13. 10-O-0241 14. 10-O-0307 15. 10-R-0334 16. 10-R-0335 17. 10-R-0390 19. 10-R-0395 20. 10-R-0407 21. 10-R-0411 22. 10-R-0394 23. 10-R-0396 24. 10-R-0338 25. 10-R-0339 26. 10-R-0340 27. 10-R-0341 28. 10-R-0342 29. 10-R-0343 30. 10-R-0344 31. 10-R-0345 32. 10-R-0346 33. 10-R-0347 34. 10-R-0348 35. 10-R-0349 | 36. 10-R-0350 37. 10-R-0351 38. 10-R-0352 39. 10-R-0353 40. 10-R-0354 41. 10-R-0355 | 42. 10-R-0356 43. 10-R-0357 44. 10-R-0358 45. 10-R-0359 46. 10-R-0360 47. 10-R-0361 48. 10-R-0362 49. 10-R-0363 50. 10-R-0364 51. 10-R-0365 52. 10-R-0366 53. 10-R-0367 54. 10-R-0368 55. 10-R-0369 56. 10-R-0370 57. 10-R-0371 58. 10-R-0372 59. 10-R-0373 60. 10-R-0374 61. 10-R-0375 62. 10-R-0376 63. 10-R-0377 64. 10-R-0378 65. 10-R-0379 66. 10-R-0380 67. 10-R-0381 68. 10-R-0382 69. 10-R-0383 70. 10-R-0384 71. 10-R-0385 |